

**REPORT OF THE
ILLINOIS MISSISSIPPI CANAL
AND
SINNISIPPI LAKE COMMISSION**

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To
His Excellency Otto Kerner
Governor of the State of Illinois
and
Members of the Seventy-Second General Assembly

June 1, 1961



REPORT OF THE
ILLINOIS MISSISSIPPI CANAL
AND
SINNISIPI LAKE COMMISSION

TO

HIS EXCELLENCY OTTO KERNER
GOVERNOR OF THE STATE OF ILLINOIS
AND
MEMBERS OF THE SEVENTY-SECOND GENERAL ASSEMBLY

June 1, 1961



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GENERAL ASSEMBLY

STATE OF ILLINOIS

June 1, 1961

To His Excellency Otto Kerner,
Governor of the State of Illinois
and
Members of the Seventy-second
General Assembly.

The Illinois Mississippi Canal and Sinnissippi Lake Commission is proud to advise that an agreement has been entered into with the United States Government for the transfer of the Illinois Mississippi Canal and Sinnissippi Lake from Federal control to State ownership.

This transfer will be effected June 30, 1964, following rehabilitation and renovation of certain canal and lake facilities by the United States Corps of Engineers.

The Commission presents herewith a progress report of its activities since it was created by the Seventy-first General Assembly and also its plans for future development of the canal and lake properties.

This report also covers activities of the previous Canal Commissions which were created by the Sixty-eighth, Sixty-ninth and Seventieth General Assemblies.

Respectfully submitted,

Fred J. Hart,
Chairman.

SENATE BILL NO. 663 -- SEVENTY-FIRST GENERAL ASSEMBLY

A BILL

For an Act creating the Illinois-Mississippi Canal and Siniissippi Lake Commission defining its powers and duties, and making an appropriation therefor.

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WHEREAS, The Illinois-Mississippi Canal, also known as the Hennepin Canal, is outmoded as a waterway, and the federal authorities are contemplating its abandonment in the immediate future; and

WHEREAS, The abandonment of the canal without adequate provision for its supervision would create a health hazard and a menace to public safety; and

WHEREAS, The Canal affords the only available water recreation for many of the inhabitants of the surrounding territory and has great possibilities as a recreation area; and

WHEREAS, The Illinois General Assembly has provided enabling legislation, paving the way for the State of Illinois to acquire and maintain the canal as a recreation area; therefor

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ILLINOIS,
REPRESENTED IN THE GENERAL ASSEMBLY:

Section 1. The Illinois-Mississippi Canal and Siniissippi Lake Commission is created. The Commission shall consist of 5 members of the Senate appointed by the President pro tempore, 5 members of the House of Representatives appointed by the Speaker, the Director of Conservation, the Director of Public Works and Buildings, and one person appointed by the Governor. Of the 5 members appointed from each house no more than 3 shall be of the same political party. The Commission shall select from its membership a chairman and such other officers as it deems necessary. Members of the Commission shall serve without compensation but shall be reimbursed for actual and necessary expenses incurred in the performance of their duties.

Section 2. The Commission shall continue consultation with appropriate federal and state officers and private organizations and individuals, and shall take steps to implement plans which have been and are being drawn for rehabilitation of the canal and its ultimate transfer by the federal government to the State of Illinois. The Commission may consult with appropriate federal and state officers and private organizations and individuals and shall endeavor to devise some plan where the canal may continue to be utilized for recreational purposes under adequate supervision.

Section 3. The Commission shall report its findings and recommendations to the Seventy-Second General Assembly not later than February 1, 1961, but the Commission may continue to function after that date for the purpose of completing its study and of working out the details in connection with any plan for preserving the canal.

Section 4. The Commissions may employ and fix the compensation of necessary assistants.

Section 5. The sum of \$10,000, or so much thereof as may be necessary is appropriated to the Commission for carrying out the provisions of this Act.

MEMBERSHIP OF THE COMMISSION

Senator Fred J. Hart, Chairman

Senator Robert A. Welch

Senator Joseph R. Peterson

Senator Dennis J. Collins

Senator Frank J. Kocarek

Representative Carl Soderstrom

Representative Joseph Fanta

Representative Carl H. Wittmond

Representative W. K. Davidson

Representative Bernard J. Fio Rito

William T. Lodge, Director State Conservation Department

William J. Payse, Director State Department of Public
Works and Buildings.

Mr. William D. Schweigert, Governor's appointee

Murray Crowder, Consultant to Commission

* Glen D. Palmer, former Director State Conservation
Department

* E. A. Rosenstone, former Director State Department of
Public Works and Buildings

* Resigned when replaced by present department directors.

STATE AGREES TO ACCEPT LAKE AND CANAL

On the recommendation of the Illinois Mississippi Canal and Sinnissippi Lake Commission, the State of Illinois, on December 14, 1960, entered into an agreement with the United States Government for the transfer of the Illinois Mississippi Canal and Sinnissippi Lake from federal control to state ownership. Transfer is scheduled to be effected June 30, 1964, following rehabilitation and renovation of certain canal and lake facilities by the United States Corps of Engineers.

Work on some phases of the canal already have begun, and a work schedule of basic permanent improvements has been provided by the U. S. Corps of Engineers to the Division of Waterways, State Department of Public Works and Buildings. This schedule appears elsewhere in this report.

Signing of the agreement culminates more than ten years of negotiations between federal and state officials for the purpose of retaining the properties for recreational purposes. The canal and lake eventually will be established as a state park, providing more than 100 miles of unbroken waterway for fishing, hiking, camping, boating, picnicking and other recreational activities.

Since the canal was completed in 1907, it has served as a popular recreational area for thousands of persons within a 200 mile radius. Federal authorities voiced no objections to persons utilizing the Canal and Lake for recreational purposes as long as these activities did not interfere with the navigation purposes for which the Canal was constructed.

Announcement in late June 1951, that federal authorities would abandon the Canal July 1, 1951, for through navigation purposes, caused alarm and concern to those who used the canal for recreational purposes. It was feared that abandonment of the property would destroy the great recreational sources offered by the Canal and Lake.

Public demand that the state take measures to preserve the Canal and Lake resulted in action by the Illinois General Assembly. Since the announcement of the abandonment came late in June 1951, it did not provide sufficient time for the legislature to make a thorough study of the project. However a resolution was adopted requesting that federal agencies defer action of abandonment until a proper survey would be made by the state.

The late Senator Frank B. Johnson, Kewanee, offered a resolution in the Senate, and Senator Joseph R. Peterson, Princeton, now a member of the Commission and then a member of the House of Representatives, offered a resolution in the House.

Under date of June 26, 1951, the upper house of the

Sixty-Seventh General Assembly approved Senate Resolution No. 84, which read in parts as follows:

" Resolved by the Senate of the Sixty-Seventh General Assembly, of the State of Illinois, That we respectfully request the Governor to consider the feasibility of utilizing the Hennepin Canal, or any part thereof, as part of the state park system or as a conservation area, and that we respectfully request the Federal Government to postpone the final and complete abandonment of the canal until the State has had an opportunity to take whatever action may be necessary to insure the effective utilization of the canal for recreational and conservation purposes and to protect the public health and safety..."

The Department of Conservation Division of Fisheries conducted a survey in 1952 and prepared a preliminary report regarding the estimates relative to the conversion and modification of the canal for recreational usage.

The Sixty-Eighth General Assembly in March 1953, created the first Illinois Mississippi Canal and Sinnissippi Lake Commission. The Commission was re-created by the Sixty-Ninth, Seventieth and Seventy-First General Assemblies.

The first Commission, whose chairman was Representative Orville G. Chapman, Bradford, recommended that Congress authorize the U. S. Corps of Engineers to maintain the canal and lake in full status until further disposition could be made of the project. It further recommended that proper federal authorities convert and develop the canal and lake for recreational purposes and to designate the property as either a National Park or a public recreation area under the supervision of the U. S. Fish and Wildlife Service. This stand was taken as it was felt the Federal Government had a moral obligation to improve and maintain the area for the thousands of persons it had permitted to become accustomed to using the canal for recreational purposes.

Federal authorities advised Illinois officials, that by law, it could not fulfill this obligation and asked that the state formulate plans to take over the properties.

STATE CONSTITUTION FORBIDS PARTICIPATION

The state constitution forbid the state to spend funds on the canal, but this obstacle was hurdled in November 1954, by passage of the Blue Ballot amendment providing permission for use of state funds for the development and maintenance of canals for recreational purposes.

House Bill 1202 was passed by the Sixty-Ninth General Assembly and signed into law by the Governor July 13, 1955, providing enabling legislation to pave the way for the state

to take steps for transfer of the properties from federal to state ownership.

Congress, which had originally appropriated monies to abandon the canal, reversed its decision and authorized \$2,000,000 be spent by the U. S. Corps of Engineers for rehabilitation of the canal. This decision was prompted by the actions of the Commissions which made several trips to Washington to contact Illinois Congressmen, the U. S. Corps of Engineers and other federal agencies. Many meetings were held in Illinois with both private and public groups to work out a suitable program for the preservation of the canal and lake.

Congress appropriated \$300,000 to start the reconstruction work, and \$400,000 in the present federal budget is earmarked for canal purposes, making a total of \$700,000 readily available. More funds--up to the \$2,000,000 figure--will be provided by Congress as they are needed by the Engineers to make basic permanent improvements.

The Corps of Engineers in its estimates recognizes that an additional \$800,000 is needed for hydraulic features of the canal. State Engineers estimate the cost of the complete rehabilitation program to be substantially more than the \$2,000,000 federal authorization.

COMMISSION ACTS TO SAVE CANAL FROM FURTHER DETERIORATION

Since the Corps of Engineers have given only standby maintenance to the canal since 1951, the canal and its appurtenant structures have deteriorated to a point that unless immediate repairs are made the canal will be badly impaired for its proposed use.

The Governor wired federal officials early in June 1960, requesting repairs be made as quickly as possible. However, he was advised by the U. S. Corps of Engineers that until the state entered into an official agreement to accept the canal no action would be taken except on a standby basis.

Senator Fred J. Hart, Commission Chairman, called a meeting of the Commission in Washington, D.C., June 27 and 28, 1960, for the purpose of pursuing the best possible plan for preserving the canal and lake before they became too badly impaired. Illinois members of Congress were contacted for advice, and a meeting was held with General E. C. Itschner, Chief of Engineers, Department of Army, and members of his staff.

MEETING WITH U.S. ENGINEERS JUNE 27, 1960

The session with General Itschner and staff members General Cassidy, Colonel Weaver and a Mr. Heller, did not change the picture of canal operations materially but did provide the Commission with a clear cut program to follow if the canal was

to be preserved.

General Itschner and his staff were sympathetic with the excellent program as outlined by the Commission, but advised that the Engineers were powerless to proceed in any other manner than prescribed by the Congress. He informed the Commission that the Federal Government does not have authority to use funds for the establishment of a state park, and that money is only authorized for the establishment of a National Park. He advised Commission members that the Corps of Engineers would have to have legal authority from Congress in order to release funds for any emergency repairs since the monies previously appropriated were to abandon the canal, and the money appropriated for maintenance only extends to repairs to prevent damage to adjoining property.

When asked by Senator Hart if the Engineers could initiate legislation for additional moneys to repair the canal, General Itschner explained that the Corps could not initiate such legislation, but that if such legislation were introduced in Congress, his office would be asked to comment on the request.

Representative Soderstrom asked the General what procedure would be taken if the canal was abandoned.

General Itschner explained that the land would be made safe for property owners. He said that the Engineers would not have to fill in the canal completely or restore it to its original condition, but that fills would be made for bridges and that the lock gates would be taken down.

The General suggested that the state accept the proposal so that repairs can be made by the Corps of Engineers as soon as possible.

COMMISSION ASKS ILLINOIS CONGRESSMEN FOR ASSISTANCE

On June 28, members of the Commission and other state and private citizens who visited the Capitol, contacted United States Senators Everett Dirksen and Paul Douglas and members of the House of Representatives to seek support and advice regarding the federal status of the canal.

A dinner was held at the Shoreham Hotel where the canal program was discussed. Seven members of Congress attended. Congressmen who attended were Robert H. Michel, Melvin Price, Robert B. Chipperfield, John C. Kluczynski, Roland V. Libonati, Roman C. Pucinski and George Shipley. Mr. Harold Brown, administrative assistant to Senator Douglas, represented the Senator.

Commission members attending were Senators Hart, Dennis J. Collins, and Robert Welch, and Representatives W. K. Davidson, Bernard J. Fio Rito, Joseph Fanta, Carl W. Soderstrom and

Carl Wittmond, Mr. William Schweigert, Governor's appointee to the Commission, and Murray Crowder, consultant to the Commission.

Others who were present were Glen D. Palmer, Director of the State Department of Conservation, Sam Parr, administrative assistant and Carl Thunman, Engineer, Department of Conservation; Mr. Tom Casey and Ralph O. Fisher, Division of Waterways; and Mr. William Dutelle, Division of Highways, Local Roads and Streets, State Department of Public Works and Buildings; Mr. Jack Palmer, president of the Illinois Chapter of Isaac Walton Leagues; Mr. Royal McClellan, Executive Secretary of the Illinois Federation of Sportsmen Clubs; and Mr. Clarence E. Hammond and John C. Lawrence, Scruggs-Hammond Planning Consultants, Peoria, Illinois.

Mr. Hammond explained and outlined the potential recreational features that may be provided by acquisition of the canal and stressed its resource value to the state of Illinois. Mr. Schweigert showed slides and films of the canal.

Congressman Michels stated that if the Commission presents a detailed report of what repairs should be made and the exact cost, he will support the necessary legislation to secure the funds.

Congressman Price expressed his personal cooperation. He agreed that the Illinois delegation in Congress should work together to obtain additional federal monies to preserve the canal. He advised the Commission to make the necessary recommendations to Congress and expressed confidence that "we will get the appropriation we ask for."

Congressman Price expressed his personal belief that the Commission would make a wise choice in deciding to recommend that the state accept the canal under the present terms.

Congressman Libonati pledged full support to help obtain more federal funds for the rehabilitation and renovation of the canal. He urged the Commission to continue its efforts to secure additional federal monies since "this canal is the responsibility of the Federal Government and it would be derelict to refuse future financial assistance." He also urged the Commission to pursue the canal problem with the Department of Interior since this department is very influential and very interested in the conservation of the land.

He said he was confident that the project would get the full support of Illinois Congressmen and advised the Commission to present "in dollars and cents what is needed," and that "Congress shall pass the necessary legislation."

With the support of Illinois Congressmen assured, a resolution for acceptance of the canal under the present terms

of the Federal Government was made by Mr. Schweigert and seconded by Representative Fio Rito. The resolution states:

"Whereas the Illinois Mississippi Canal and Sinnissippi Lake Commission shall recommend to the Department of Conservation and the Governor of Illinois that they accept the proposal from the U. S. Corps of Engineers Officials and will enter into an agreement with the provision that any additional justifiable expenses involved, Congress shall initiate and pass the necessary legislation to comply with the requirements."

Congressman Chipperfield stated he believed the resolution, which was adopted by unanimous consent, was a very good one and he expressed his opinion that the Commission is moving in the proper direction. He voiced his support to obtain additional federal funds for canal purposes.

Senator Hart said he felt it is wise to accept the proposal, because to refuse would delay the emergency repairs which are now necessary to preserve the canal.

Senator Hart expressed the opinion that if members of Congress served in the state legislature they would have a better conception of a state legislator's problems. He pointed out that on a state level the legislator is more closely affiliated with the people in his district than is the Congressman, and because of this close relationship the state legislator cannot let any problem lapse. Because of this situation the members of this Commission "have come to Washington to find out what can be done to help the people in our districts."

Senator Hart pointed out that the Commission is not composed only of legislators who live in the canal districts, but is representative of all sections of the state.

Director Palmer specifically pointed out to the Congressmen that the state was not seeking funds for recreational purposes, but only such funds as necessary to restore the canal to the condition necessary for use as a state park. Mr. Jack Palmer and Mr. McClellan both offered the support of their organizations in obtaining this additional financial assistance from Congress.

Senator Hart expressed thanks to the Congressmen and said that in view of their promised support to obtain additional funds, the Commission would initiate action for quick acquisition of the properties.

SPEED PLANS TO ACCEPT CANAL

On return to Springfield the Commission recommended to the Governor that the canal and lake agreement be signed as quickly as possible. Conservation and Public Works and Buildings

officials were advised to submit reports, and the Attorney General was requested to draw up the agreement. This agreement follows:

Contract No. Da-11-117-CIVENG-61-130

AGREEMENT BETWEEN THE UNITED STATES AND STATE OF ILLINOIS
FOR REPAIR, MODIFICATION AND TRANSFER OF ILLINOIS AND
MISSISSIPPI CANAL

AGREEMENT made and entered into between the United States of America, represented by the Chief of Engineers, Department of the Army, Party of the First Part, and the DEPARTMENT OF CONSERVATION of the State of Illinois, and the DEPARTMENT OF PUBLIC WORKS AND BUILDINGS of the State of Illinois, Parties of the Second Part,

WITNESSETH:

WHEREAS, the Illinois and Mississippi Canal extends from a point on the Illinois River about twelve (12) miles from LaSalle, Illinois, across the State of Illinois to the Mississippi River at the mouth of the Rock River, including a feeder canal extending south from the City of Rock Falls, Illinois, on Rock River, to the summit level of the main canal; and

WHEREAS, Public Law 85-500 of the 85th Congress, 2nd Session approved July 3, 1958 (72 Stat. 297, 302), provides for the rehabilitation and modification for public recreational use other than through-navigation of the Illinois and Mississippi Canal, including the feeder canal, Sinnissippi Lake, and all appurtenances, (which canal, feeder, lake and appurtenances are hereinafter referred to as "the Canal"), said Act of Congress by reference being made a part of this agreement; and

WHEREAS, Public Law 85-500 authorizes to be appropriated the sum of \$2,000,000 to carry out the provisions of Section 110 of said Act; and

WHEREAS, the State of Illinois has adopted an Act entitled, "AN ACT in relation to the acquisition of the Illinois and Mississippi Canal and the use and administration thereof as a State Park," approved July 13, 1955, (Laws 1955, page 1799; Illinois Revised Statutes 1959, chapter 105, paragraphs 482a - 482d), said Act by reference being made a part of this agreement,

WHEREAS, a detailed description of the repairs, construction, reconstruction or modification of the Canal desired by the Parties of the Second Part in order to place the same in proper condition for public recreational use other than through-navigation is more particularly set forth in SCHEDULE A, and by reference expressly made a part of this agreement; and

WHEREAS, the estimated cost of performing the items of work listed in SCHEDULE A is greatly in excess of the \$2,000,000 authorized to be appropriated by Public Law 85-500;

NOW THEREFORE, pursuant to the Act of Congress and the State statute, above referred to, and in consideration of the mutual promises of the parties hereto, IT IS AGREED:

1. Party of the First Part agrees to acquire on behalf of the United States the fee simple title in and to the lands in the Lake (known as Sinnissippi Lake), created by the Government dam constructed across Rock River between Sterling and Rock Falls, Illinois, and over which the United States now holds flowage rights or easements; said fee simple title shall be acquired subject to the continuing right of access to Sinnissippi Lake by the riparian owners whose land adjoins and abuts said Lake. Such acquisition shall be accomplished by purchase, acceptance of donation, exchange, exercise of the power of eminent domain, or otherwise.

2. Party of the First Part, pursuant to the provisions of Public Law 85-500 and within the limits of appropriations made or to be made for civil functions administered by the Department of the Army, agrees to perform such items of work, out of the total items of work listed in SCHEDULE A, as may be performed within the limits of the \$2,000,000 authorized to be appropriated by Public Law 85-500. Said items of work to be performed by the Party of the First Part in accordance with the priorities listed in SCHEDULE B, attached hereto and by reference made a part hereof. It is understood by the parties hereto that the said \$2,000,000 authorized to be appropriated includes all Federal costs for repairs, modifications, land acquisition, planning, engineering and design, supervision and administration, and transfer of the Canal to the State of Illinois.

3. Party of the First Part upon execution of the provisions of paragraphs 1 and 2 of this agreement, agrees to convey and transfer to the State of Illinois, by quitclaim deed, assignment of easements and such other instruments as may be appropriate, without further consideration, the property of the Canal and to execute such other documents and to perform such other acts as shall be necessary or appropriate to complete the transfer to the State of Illinois of all right, title and interest of the United States in and to the Canal.

4. The Department of Conservation of the State of Illinois, one of the Parties of the Second Part, hereby agrees, upon the performance by the Party of the First Part of the matters and things set forth in paragraphs 1 and 3 hereof, and upon performance of the items of work referred to in paragraph 2 hereof, and as more particularly set forth in SCHEDULE A to the extent that said items of work set forth in SCHEDULE A may be performed within the limits of the authorized appropriation of \$2,000,000,

to accept on behalf of the State of Illinois a quitclaim deed from the United States of all the right, title and interest of the United States in and to the property of the Canal, and also to accept all other documents which may be necessary or appropriate to transfer to the State of Illinois all the right, title and interest of the United States in and to the Canal, and upon such acceptance the Party of the First Part shall have no further obligation with respect to the Canal.

5. Parties of the Second Part further agree that, upon the acceptance of title to the Canal by the Department of Conservation of the State of Illinois, the Canal shall become a State Park, as provided in Section 4 of "AN ACT in relation to the acquisition of the Illinois and Mississippi Canal and the use and administration thereof as a State Park." (Ill. Rev. Stat. 1959, chap. 105, par. 482a - 482d).

6. Party of the First Part shall not remove any of the Government-owned buildings which are located on the Illinois and Mississippi Canal premises as of the date of the execution of this agreement.

7. It is expressly understood by the Parties to this agreement that its execution now and the acceptance of the Canal properties by the State, as herein more particularly set forth, will not preclude the undertaking of additional work at Federal expense to further repair and modify the Canal for public recreational use, should the Congress later authorize and appropriate funds in excess of the \$2,000,000 authorized to be appropriated by Public Law 85-500 approved July 3, 1958.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals this 14th day of December, A.D., 1960.

THE UNITED STATES OF AMERICA

By /s/ E. C. Itschner
Chief of Engineers
Department of the Army
Party of the First Part

DEPARTMENT OF CONSERVATION OF
THE STATE OF ILLINOIS

By /s/ Glen D. Palmer
Director

and

DEPARTMENT OF PUBLIC WORKS AND
BUILDINGS OF THE STATE OF ILLINOIS

By /s/ E. A. Rosenstone
Director
Parties of the Second Part

APPROVED:

/s/ William G. Stratton
Governor of the State of Illinois

LEGISLATION PAVES WAY FOR ACCEPTANCE

House Bill 1202 cleared the way for the state to enter in the agreement for the transfer of the property from federal to state ownership. A copy of this bill follows:

HOUSE BILL NO. 1202 - SIXTY-NINTH GENERAL ASSEMBLY

A BILL

For an Act in relation to the acquisition of the Illinois and Mississippi Canal and the use and administration thereof as a State Park.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF ILLINOIS,
REPRESENTED IN THE GENERAL ASSEMBLY:

Section 1. COOPERATION WITH FEDERAL AUTHORITIES.

The Department of Conservation and the Department of Public Works and Buildings, subject to the approval of the Governor, hereby are authorized to enter into agreements with the duly authorized representatives of the United States for the accomplishment by the United States of the following purposes:

(a) The acquisition by the United States of the fee simple title in and to the lands in the lake (known as Sinnissippi Lake) created by the Government dam constructed across Rock River between Sterling and Rock Falls, Illinois, and over which the United States now has flowage rights or easements used for the purpose of and appurtenant to the operation of the Federal project known as the Illinois and Mississippi Canal (which lake, canals, and appurtenances thereto are referred to collectively in this Act as the Canal); said fee simple title to be acquired subject to the continuing right of access to Sinnissippi Lake by the riparian owners whose lands adjoin and abut said Lake.

(b) to repair and modify the Canal in order to place the same in proper condition for public recreational use other than through navigation; and

(c) to convey and transfer to this State the property of the Canal and appurtenances thereto.

Section 2. TRANSFER OF RAILROAD BRIDGES

(a) The Department of Conservation hereby is authorized at any time before the acceptance of title to the Canal as provided in Section 3 of this Act, to enter into an agreement with any corporation owning a railroad which crosses a bridge over the Canal, providing for (1) a request by both parties to the Secretary of the Army for a conveyance to the said corporation

of all right, title, and interest of the United States in and to such bridge; (2) a further request (at the discretion of said corporation) by both parties to the Secretary of the Army, for permission to said corporation to replace such bridge with a land fill, making adequate provision for culverts and other structures allowing passage of the waters of the Canal and necessary drainage, and for right-of-way for necessary and appropriate road crossings; (3) the assumption by said corporation, upon delivery of such conveyance, of all obligation to maintain said bridge and any land fill which may replace the same, and any culverts or other structures and road crossings appurtenant to such fill; and (4) an agreement by said corporation to hold the United States and the State safe and harmless from any and all claims arising out of the construction, reconstruction, repair, and maintenance of such bridge, land fill, culverts or other structures, and road crossings.

(b) The Department of Conservation further is authorized after the acceptance of title to the Canal as provided in Section 3 of this Act, to enter into an agreement with any corporation owning a railroad which crosses a bridge over the Canal and which corporation has not obtained title to such bridge as provided in Subsection (a) of this Section, which agreement shall provide for (1) the conveyance to the said corporation of all right, title and interest of the State in and to such bridge; (2) the replacement (at the discretion of the said corporation) of such bridge with a land fill, making adequate provision for culverts and other structures allowing passage of the waters of the Canal and for necessary drainage, and for rights-of-way for necessary and appropriate road crossings; (3) the assumption by said corporation of all obligation to maintain the said bridge and any land fill which may replace the same, and any culverts or other structures and road crossings appurtenant to such fill; and (4) an agreement by said corporation to hold the State safe and harmless from any and all claims arising out of the construction, reconstruction, repair, and maintenance of such bridge, land fill, culverts or other structures, and road crossings.

(c) The Department of Conservation is authorized to execute, on behalf of the State, all conveyances and other documents necessary and appropriate to accomplish the purposes of this Section.

Section 3. ACCEPTANCE OF TITLE.

The Department of Conservation further is authorized and directed, upon the accomplishment by the United States of the purposes specified in Section 1 of this Act, to accept on behalf of the State a quitclaim deed from the United States, in fee simple absolute, for the property of the Canal, and similarly to accept all other documents which may be necessary and appropriate to transfer to the State all right, title, and

interest of the United States in and to the Canal.

Section 4. ADMINISTRATION AS STATE PARK

Upon the acceptance of title to the Canal as aforesaid, the Canal shall become a State Park, under the care, control, supervision, and management of the Department of Conservation as provided by the laws of this State concerning the State park system, except that (a) each bridge which connects sections of a road which is part of the system of State highways, and any approach to such a bridge, shall become part of such system of State highways; (b) each other public road section or bridge, unless designated by the Department of Conservation as an access road or driveway of the Park, shall be maintained by the governmental unit which maintains the road of which such section or bridge is a part; and (c) the Department of Public Works and Buildings shall control, operate, and maintain, either independently or in cooperation with the Department of Conservation, all dams and other structures and facilities which regulate or pertain to the regulation of the water levels in the several pools of the Park, and shall construct, reconstruct, repair, maintain, and operate such dams and other structures and facilities in such manner as will best promote the public recreational use of the Park.

U.S. ENGINEERS OUTLINE WORK PROGRAM

Colonel E. M. Fry of the Rock Island District of the U.S. Corps of Engineers, advised state officials that the rehabilitation project will expand over a three year period, beginning January 1, 1961 and ending January 1, 1964. Provisions also have been made that some additional work may be done early in 1964 before the target date for the transfer of the property from federal to state ownership on June 30, 1964.

Colonel Fry asked that the state designate a representative from the Highway Engineering Division as coordinator.

The schedule follows:

DESCRIPTION	STARTING DATE	COMPLETION DATE
1. Real Estate Acquisition	1/1/61	1/1/64
2. Government Dam at Sterling		
Taintor Gates (H.L.)	9/1/63	1/1/64
All Other Work (c)	3/5/62	9/1/63
3. Feeder Canal		
Control Stru. & Nav.Lock (H.L.)	6/1/63	1/1/64

6. Feeder & Main Canal

Embankment (H. L.) *
Canal Breaks (H. L.) *

H. L. - Government plant and hired labor.

C. - Contract

* Items presently estimated to be in excess of the \$2,000,000 authorized fund limitation, to be scheduled later if funds are available.

The above schedule has been prepared taking into account Schedule B of the transfer agreement. Should funds still be available as of January 1, 1964, the schedule is so arranged that additional items under Schedule B can be accomplished before the proposed transfer date of June 30, 1964.

The work proposed to be done by Government plant and hired labor consists almost entirely of repairing deteriorated parts of the canal structures. As the U. S. Corps of Engineers maintenance crews are familiar with the structures and location of spare parts, and because preparation of detailed contract plans for work of this type is time-consuming and expensive, without necessary commensurate benefit therefrom, the hired labor procedure is considered to be the most economical method.

Work to be accomplished by contract consists primarily of major repair or rehabilitation of canal structures.

STATE ENGINEERS MAKE SURVEY

The U. S. Corps of Engineers and the State of Illinois conducted joint field investigations of the hydraulic features and structures of the Canal and the Corps of Engineers has prepared an estimate of cost for such repairs or modifications.

as were jointly determined to be required to place the Canal structures in a suitable condition for recreational purposes.

In addition to these studies, the State of Illinois has made further investigations into other phases of the operation, maintenance, and use of the Canal which will be involved in the development of the Canal for recreational purposes.

DEVELOPMENT OF CANAL AND LAKE FOR RECREATION

The exploration and development of the Canal and Lake resources and its potentials of use is of great importance to Illinois. This Canal is the only complete and near operable remnant of the great towboat canal era located west of the Atlantic Seaboard. As a State Park it will provide much needed recreational areas. Properly developed it will provide recreation and nature areas connected by 100 miles of uninterrupted public owned scenic parkway for the fisherman, the boatman, the camera fan, the hiker, the picnicker, the camper, the outdoorsman and the birdwatcher.

In view of the proposed acquisition of the Canal and Lake for development as a state park, the Scruggs-Hammond Consultants of Peoria, Illinois, were commissioned to submit a plan for the recreational development of the properties. A copy of this report has been presented to the Commission.

A series of maps in this report indicate recommendations which have been made for the development of the waterway.

Ten major parks are included in the overall 100 miles of parkway. In these areas there will be over 100 picnic areas, 27 public camping areas and three semi-public camping facilities for Boy Scouts, Girl Scouts and Youth groups. These later three camping areas will have permanent buildings and equipment available. Six youth hostel units are planned in addition to six boat docks and launching ramps and two marine areas at Sinnissippi Lake and on the Illinois River. Some lakes also are planned in the long-range program.

The National Park Service, in 1953, made a survey of the Canal and Lake as a potential recreational area and urged state officials to make every effort to secure possession and develop them into a unique parkway.

In view of the demand for recreation areas and the extension of more leisure time for the worker and more convenient travel methods, the Scruggs-Hammond report stresses the needs for expanding the Canal and Lake to meet the future demands of an increasing population.

The report in part states:

"A reappraisal of regional influences, including

population trends, land use, and highways, reveals that the Illinois-Mississippi Canal and Sinnissippi Lake will help fill the critical need for large park and conservation area lands.

" A nationwide shortage of parks and other public spaces of state and national calibre is in the making. It is prophesied that by the year 2,000 the exploding population in the United States, with one and one-half times the leisure and twice the money to spend will demand ten times the recreation opportunities now available.

" Northern Illinois, the destined center of a super-city, having no national park or national forests and a limited acreage in state parks, is destined to feel the brunt of this future demand for recreational space. By 1980, the Greater Chicago Region is expected to have a population of 10 million people needing a minimum of 30,000 additional acres of land in large open space.

" The introduction of the interstate system will funnel a greater number of tourists through the region putting new demands on recreational lands. The Canal, being located at the intersection of Route 78 (south) and 80 (east-west) is well placed to fill this potential demand.

" For over 50 years this area has been a popular playground for families from Northern Illinois and Eastern Iowa. Annual use has already grown to an estimated 300,000 visitors with only 250 feet of public access to Sinnissippi Lake, only 20 % of the land now readily accessible by car, and minimum facilities (water and toilets) at two points.

3400 ACRES OF WATER IN CANAL AND LAKE

There are approximately 3,400 acres of water in the canal and lake. Of this amount 2,400 acres is lake water. The Canal stretches from its east terminus about a mile east of Bureau in the Illinois River to its west terminus in the Mississippi River, three miles downstream from Rock Island. It covers a distance of 74.9 miles, of which 8.7 miles lie in the main channel of the Rock River. The feeder canal originates at Rock Falls and extends 29.3 miles to join the main canal near Sheffield in Bureau county. The channel right-of-way averages 300 feet.

The Canal, known as the Hennepin Canal, was first contemplated in 1834, but was not created until 1890. It was completed in 1907 and was used for through navigation until July 1, 1951.

RECOMMENDATIONS

Therefore, the Commission recommends:

1. That the State of Illinois, by every means available,

solicit the aid of all U. S. Senators and Congressmen from Illinois to procure needed addition Federal funds for the rehabilitation of the Canal before it is accepted by the State of Illinois, beyond the \$2,000,000 present Congressional committment which the Commission believes to be inadequate.

2. That the State of Illinois, by every means available, seek the cooperation of the U. S. Corps of Army Engineers in rehabilitating said Canal under the present monies available, in the priority demanded by the conditions of deterioration which exists on the various structures of the Canal.

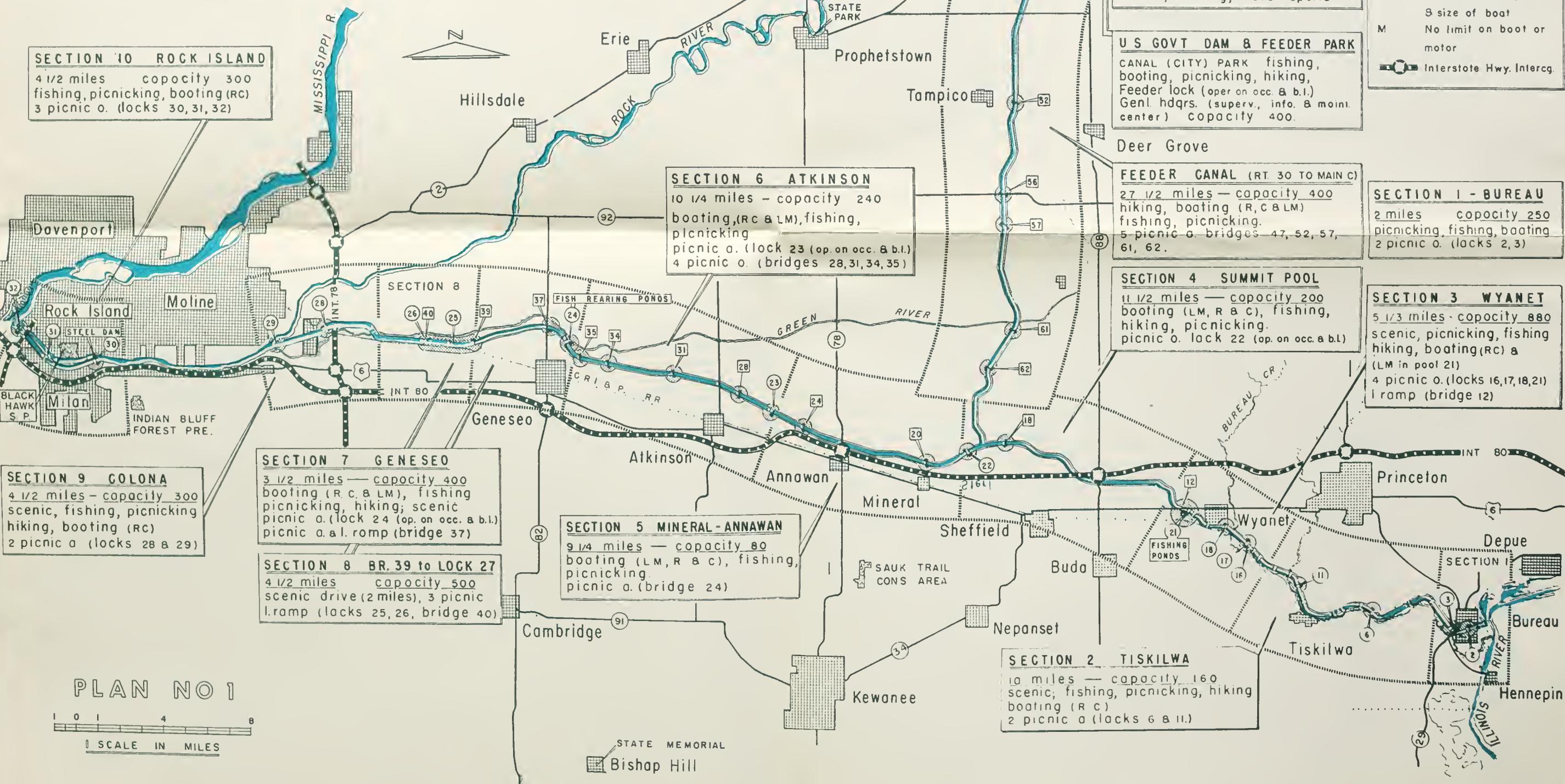
3. That the State Agencies, i.e., the Department of Conservation and Public Works and Buildings, continue to study the future expansion of the Canal property after it shall be acquired, including acquisition of adjacent land and development of wildlife refuges, public hunting and fishing areas, fish rearing facilities and general recreation use.

4. That the State of Illinois, by its Department of Public Works and Buildings, assume responsibility for the repair and maintenance of all bridges over the Canal.

5. That this Commission be re-created and continued for the purpose of soliciting additional Federal appropriations for rehabilitation, advising with the state agencies in perfecting the acquisition and development of the Canal, and in supervising the rehabilitation of the Canal, and protecting the interest of the People of Illinois in this Canal.

PLAN - PHASE ONE GENERAL DEVELOPMENT

ILLINOIS MISSISSIPPI CANAL & LAKE SINNISIPI

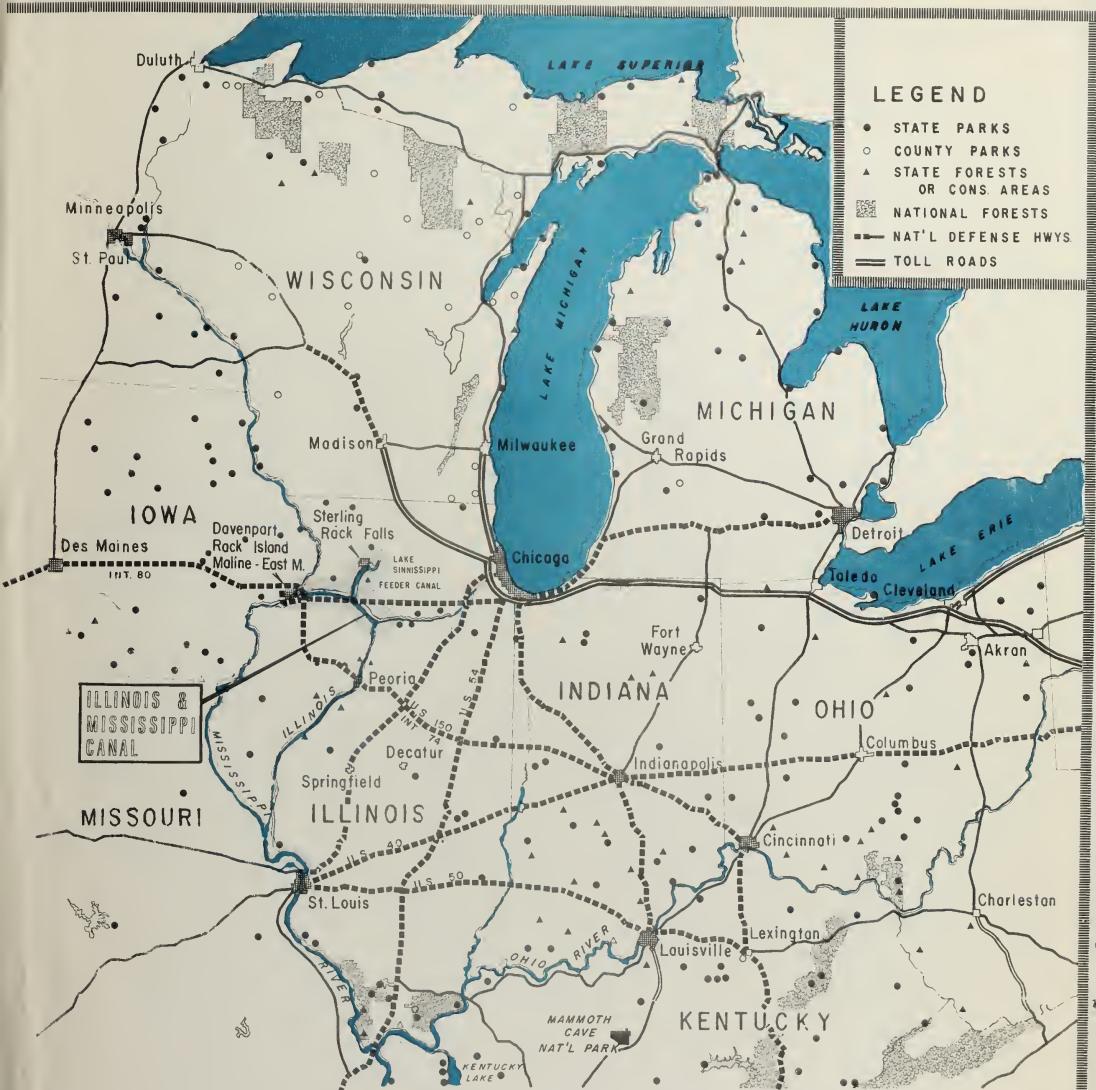




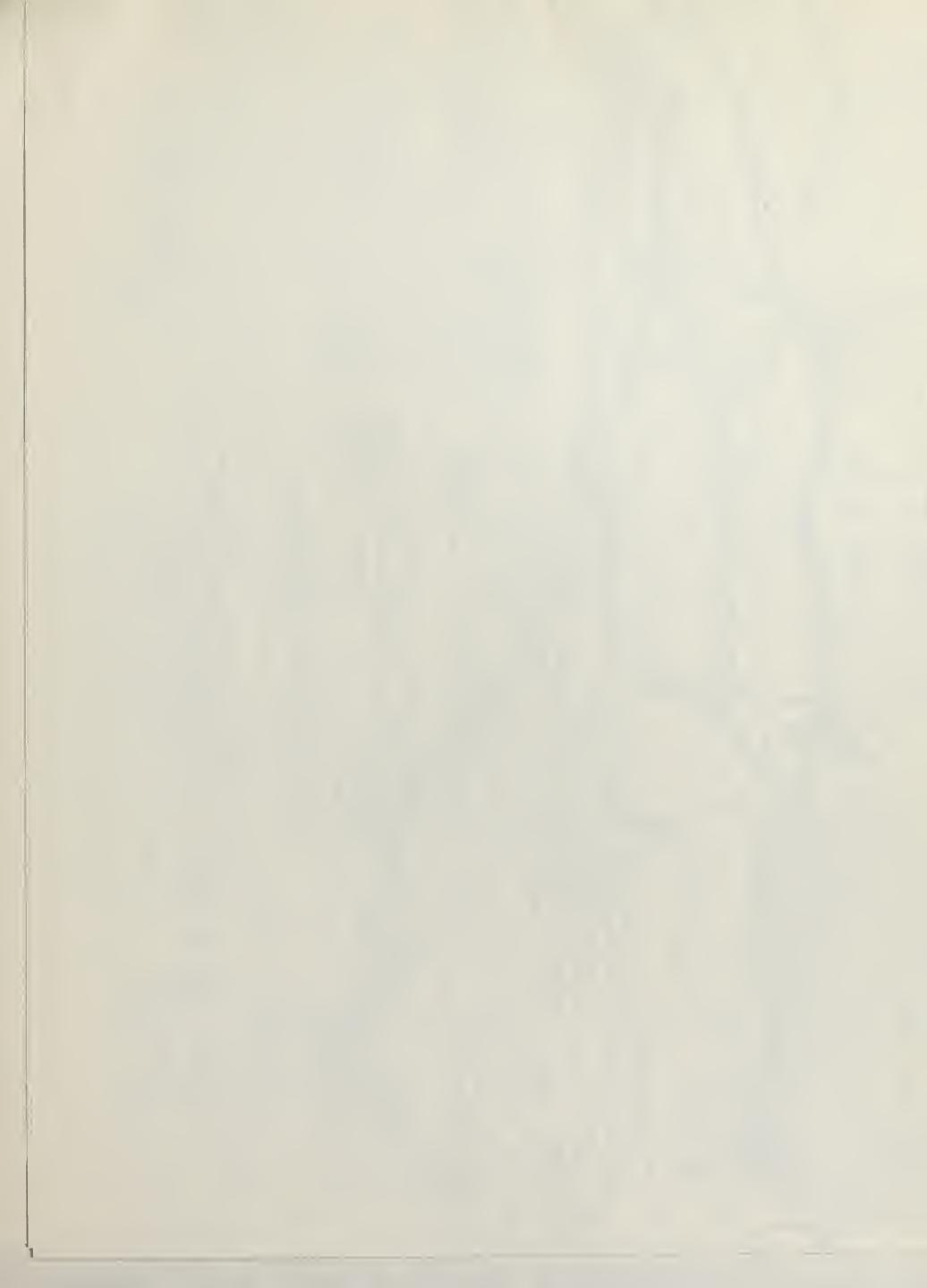
LAKE PARK

- A GATE
- B HEADQUARTERS
- C MOTEL
- D SWIMMING POOL
- E PICNIC AREA
- F TENT CAMP
- G BOAT DOCK & RESTAURANT
- H BOAT LAUNCHING RAMP
- I BOAT TRAILER PARKING
- J BOAT PIER
- K DRY DOCK





THE MIDWEST



PLAN - PHASE TWO GENERAL DEVELOPMENT ILLINOIS MISSISSIPPI CANAL & LAKE SINNISIPI

SECTION 10 ROCK ISLAND

4 1/2 miles capacity 1200
picnicking, boating (RC) fishing
camping, hiking
picnic a. & fish ponds (old milton boat yd)
lg. park, vic. of lock 32 (picnic & camping)
2 picnic a. (locks 30, 31)

Davenport

MISSISSIPPI

RIVER

INTERSTATE



Rock Island

Colona & Green Rock

E. Moline

Moline

BLACK HAWK S.P.

Rock

INTERSTATE 78

SEC. 8

LARGE PARK

37

SCENIC DRIVE

Geneseo

C.R. I. & P. R.R.

Atkinson

ANNAWAN

Minerol

SAUK TRAIL CONS. AREA

Sheffield

Budo

Wyonet

Princeton

INTERSTATE 80

Depue

SEC. 1

Bureau

HARBOR

Game

REFUGE & Hennepin

Sioux

29

PLAN NO 2

1 0 1 4 8
SCALE IN MILES

Morrison

U. S. GOVERNMENT DAM
& FEEDER

Sterling

Rock

Folls

30

50

172

52

56

57

CANAL

LAKE

78

88

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21

19

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